

09/582971

Practitioner's Deck # 60319-010

CHAPTER II

Preliminary Classification:

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.'" M.P.E.P., § 601, 7th ed.

TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/GB99/00071

08 January 1999

08 January 1998

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

USE OF MASS FINGERPRINTING FOR IDENTIFICATION OF PROTEIN AFFINITY LIGANDS

TITLE OF INVENTION

Stephen Roy Pennington

APPLICANT(S)

Box PCT

Assistant Commissioner for Patents

Washington D.C. 20231

ATTENTION: EO/US

CERTIFICATION UNDER 37 C.F.R. § 1.10*

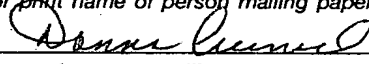
(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date July 7, 2000, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EK393504911US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Donna Crumit

(type or print name of person mailing paper)



Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input checked="" type="checkbox"/> *	TOTAL CLAIMS	18 - 20 =	0	× \$18.00 =	\$
	INDEPENDENT CLAIMS	6 - 3 =	3	× \$78.00 =	234.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) 3 + \$260.00				780.00
BASIC FEE**	<input type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an International preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO: <input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 C.F.R. § 1.492(a)(4)) \$96.00 <input type="checkbox"/> and the above requirements are not met (37 C.F.R. § 1.492(a)(1)) \$670.00 <input type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO: <input type="checkbox"/> has been paid (37 C.F.R. § 1.492(a)(2)) \$690.00 <input type="checkbox"/> has not been paid (37 C.F.R. § 1.492(a)(3)) \$970.00 <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 C.F.R. § 1.492(a)(5)) \$840.00				
	Total of above Calculations				= 1854.
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 C.F.R. § 1.9, 1.27, 1.28)				- 927
	Subtotal				927
	Total National Fee				\$ 927
	F r r e c r d i n g t h n c l o s e d a s s i g n m e n t d o c u m e n t \$40.00 (37 C.F.R. § 1.21(h)). (S e e l t m 13 b l w). See attached "ASSIGNMENT COVER SHEET".				40.00
TOTAL	T t a l F e e s n c l o s e d				\$ 967.00

*See attached Preliminary Amendment Reducing the Number of Claims

- i. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- ii. ☒ Please charge Account No. 04-2223 in the amount of \$ 967.00.
A duplicate copy of this sheet is enclosed.

****WARNING:** "To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: * * * (2) the basic national fee (see § 1.492(a)). The 30-month time limit may not be extended." 37 C.F.R. § 1.495(b).

WARNING: If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. § 1.495(b)(2). The payment of the surcharge set forth in § 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in § 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of § 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.

3. ☒ A copy of the International application as filed (35 U.S.C. § 371(c)(2)):

NOTE: Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment. "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.

- a. ☒ is transmitted herewith.
- b. ☐ is not required, as the application was filed with the United States Receiving Office.
- c. ☐ has been transmitted
- i. ☐ by the International Bureau.
Date of mailing of the application (from form PCT/1B/308): _____
- ii. ☐ by applicant on _____
Date

4. ☒ A translation of the International application into the English language (35 U.S.C. § 371(c)(2)):

- a. ☐ is transmitted herewith.
- b. ☒ is not required as the application was filed in English.
- c. ☐ was previously transmitted by applicant on _____
Date
- d. ☐ will follow.

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5. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. § 371(c)(3)):

NOTE: The Notice of January 7, 1993 points out that 37 C.F.R. § 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under section 1.121. In many cases, filing an amendment under section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 36.

- a. ☒ are transmitted herewith.
- b. ☐ have been transmitted
- i. ☐ by the International Bureau.
Date of mailing of the amendment (from form PCT/1B/308): _____
- ii. ☐ by applicant on (date) _____
Date
- c. ☐ have not been transmitted as
- i. ☐ applicant chose not to make amendments under PCT Article 19.
Date of mailing of Search Report (from form PCT/ISA/210.): _____
- ii. ☐ the time limit for the submission of amendments has not yet expired.
The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

6. ☒ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. § 371(c)(3)):
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the amendments were made in the English language.
- c. ☐ has not been transmitted for reasons indicated at point 5(c) above.
7. ☒ A copy of the international examination report (PCT/IPEA/409)
- ☒ is transmitted herewith.
- ☐ is not required as the application was filed with the United States Receiving Office.
8. ☒ Annex(es) to the international preliminary examination report
- a. ☒ is/are transmitted herewith.
- b. ☐ is/are not required as the application was filed with the United States Receiving Office.
9. ☒ A translation of the annexes to the international preliminary examination report
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the annexes are in the English language.

10. ☒ An oath or declaration of the inventor (35 U.S.C. § 371(c)(4)) complying with 35 U.S.C. § 115
- a. ☐ was previously submitted by applicant on _____
Date
- b. ☒ is submitted herewith, and such oath or declaration
- i. ☒ is attached to the application.
- ii. ☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. § 1.70.
- c. ☐ will follow.

II. Other document(s) or information included:

11. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):
- a. ☒ is transmitted herewith.
- b. ☐ has been transmitted by the International Bureau.
Date of mailing (from form PCT/IB/308): _____
- c. ☐ is not required, as the application was searched by the United States International Searching Authority.
- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on _____
Date
12. ☒ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98:
- a. ☐ is transmitted herewith.
Also transmitted herewith is/are:
- ☐ Form PTO-1449 (PTO/SB/08A and 08B).
- ☐ Copies of citations listed.
- b. ☒ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. § 371(c).
- c. ☐ was previously submitted by applicant on _____
Date
13. ☒ An assignment document is transmitted herewith for recording.
A separate ☒ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.

(Transmittal Letter to the United States Elected Office (EO/US) [13-18]—page 6 of 8)

14. ☒ Additional documents:

- a. ☐ Copy of request (PCT/RO/101)
- b. ☒ International Publication No. WO 99/35502
 - i. ☐ Specification, claims and drawing
 - ii. ☒ Front page only
- c. ☒ Preliminary amendment (37 C.F.R. § 1.121)
- d. ☐ Other

15. ☒ The above checked items are being transmitted

- a. ☒ before 30 months from any claimed priority date.
- b. ☐ after 30 months.

16. ☐ Certain requirements under 35 U.S.C. § 371 were previously submitted by the applicant on _____, namely:

AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 04-2223.

- ☒ 37 C.F.R. § 1.492(a)(1), (2), (3), and (4) (filing fees)

WARNING: Because failure to pay the national fee within 30 months without extension (37 C.F.R. § 1.495(b)(2)) results in abandonment of the application, it would be best to always check the above box.

(Transmittal Letter to the United States Elected Office (EO/US) [13-18]—page 7 of 8)

002020-12020500

☒ 37 C.F.R. § 1.492(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.492(d)), it might be best not to authorize the PTO to charge additional claim fees, except possible when dealing with amendments after final action.

☒ 37 C.F.R. § 1.17 (application processing fees)

☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☐ 37 C.F.R. § 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).


SIGNATURE OF PRACTITIONER

Robert L. Kelly

(type or print name of practitioner)

Dykema Gossett PLLC

39577 Woodward Avenue, Suite 300

P.O. Address

Bloomfield Hills MI 48304

Reg. No.: 31,843

Tel. No.: (248) 203-0849

Customer No.:

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Practitioner's Docket No. 60319-010

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CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/GB99/00071	08 January 1999	08 January 1998
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
USE OF MASS FINGERPRINTING FOR IDENTIFICATION OF PROTEIN AFFINITY LIGANDS		
TITLE		
Stephen Roy Pennington		
APPLICANT(S)		

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

COVER SHEET FOR ASSIGNMENT
IN THE UNITED STATES ELECTED OFFICE (EO/US)
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL STAGE
IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371

IDENTIFICATION OF APPLICATION

(37 CFR 3.21 and 37 CFR 3.31(a)(4))

1. The patent application filed herewith, and to which the attached assignment (document) refers, is identified as follows:

- a. Date of execution: July 4, 2000
- b. Name of each inventor:
 - 1: Stephen Roy Pennington
 - 2:
 - 3:
- c. Title of invention: USE OF MASS FINGERPRINTING FOR IDENTIFICATION OF PROTEIN AFFINITY LIGANDS

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this "Cover Sheet for Assignment (Document) Accompanying International Application Entering National Phase", along with any document referred to, is being deposited with the United States Postal Service on this date July 7, 2000, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EK393504911US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Donna Crumit

(type or print name of person mailing paper)



Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: See 37 CFR 3.21.

NAME OF PARTY(IES) CONVEYING INTEREST

(37 CFR 3.31(a)(1))

2. The party(ies) conveying this interest is (are):

Name 1: Stephen Roy Pennington

Name 2: _____

Name 3: _____

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST

(37 CFR 3.31(a)(2))

3. The rights are being conveyed to:

Name: The University of Liverpool

Address: Senate House

Abercromby Square

Liverpool L69 3BX Great Britain

Telephone No.: ()

DESCRIPTION OF INTEREST CONVEYED OR TRANSACTION RECORDED

(37 CFR 3.31(a)(3))

4. The accompanying document intends to accomplish:

- ☒ an assignment.
- ☐ a security agreement.
- ☐ a license.
- ☐ a merger.
- ☐ a change of name.
- ☐ a change of address.
- ☐ other.

(Cover Sheet for Assignment In the United States Elected Office (EO/US) for International Application
Entering National Stage under 35 USC 371 [13-21]—page 2 of 4)

**NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE
SHOULD BE MAILED (37 CFR 3.31(a)(5))**

5. Please address correspondence to:

Name: Robert L. Kelly
Address: 39577 Woodward Avenue
Suite 300
Bloomfield Hills MI 48304

Telephone No.: (248) 203-0849

DATE ASSIGNMENT (DOCUMENT) EXECUTED (37 CFR 3.31(a)(7))

6. The attached assignment (document) was executed on July 4, 2000
Date

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: The Office will accept and record non-English language documents only if accompanied by a verified English translation signed by the individual making the translation. 37 CFR 3.26.

The attached document:

- ☒ is in the English language.
☐ is not in the English language. A verified English translation signed by the individual making the translation is attached.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

NOTE: "Either the original document or a true copy of the original document may be submitted for recording. Only one side of each page shall be used. The paper used should be flexible, strong, white, non-shiny, durable, and preferably no larger than 21.6 x 33.1 cm. (8 1/2 x 14 inches) with a 2.5 cm. (one inch) margin on all sides." 37 CFR 3.24.

7. Submitted herewith is:

- ☐ the original document.
☒ a true copy of the original document.

NOTE: "If the original [assignment] document is two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 C.F.R. § 3.24] by providing a true copy of the original document using only one side of each page on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

**NUMBER OF APPLICATIONS IDENTIFIED IN THIS COVER SHEET
AND THE FEE (37 CFR 3.31(a)(6))**

8. A. This cover sheet identifies only one application:
B. The fee for recordal (37 CFR 1.21(h)) is \$40.00.

- ☐ Attached is a check for \$40.00.
☒ Please charge Account 04-2223 \$40.00.

A duplicate of this cover sheet is attached.

(Cover Sheet for Assignment In the United States Elected Office (EO/US) for International Application
Entering National Stage under 35 USC 371 [13-21]—page 3 of 4)

STATEMENT (37 CFR 3.31(a)(9)) AND SIGNATURE (37 CFR 3.31(a)(10))

9. To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

NOTE: "The term 'party' as used in this rule [§ 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the document." Notice of June 24, 1992, 1140 O.G. 63-76, at 65.

Date: July 7, 2000

Robert L. Kelly

Name of party submitting document


Signature of party submitting document

(complete the following, if the party submitting the document is applicant's attorney)


SIGNATURE OF PRACTITIONER

Reg. No.: 31,843

Robert L. Kelly

(type or print name of practitioner)

Dykema Gossett PLLC

39577 Woodward Avenue, Suite 300

P.O. Address

Customer No.:

Bloomfield Hills MI 48304

TOTAL NUMBER OF PAGES BEING SUBMITTED

10. The total number of pages being submitted, including cover sheet attachment(s), and documents are:

7

Total number of pages submitted

(Cover Sheet for Assignment In the United States Elected Office (EO/US) for International Application
Entering National Stage under 35 USC 371 [13-21]—page 4 of 4)